



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/731,423	12/09/2003	Robert Turner	3123-534

25231
MARSH, FISCHMANN & BREYFOGLE LLP
3151 SOUTH VAUGHN WAY
SUITE 411
AURORA, CO 80014

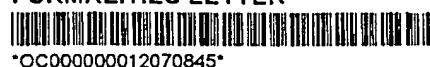
RECEIVED

MAR 15 2004

MARSH FISCHMANN & BREYFOGLE LLP

CONFIRMATION NO. 3926

FORMALITIES LETTER



OC000000012070845

Date Mailed: 03/11/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$324 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1224 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

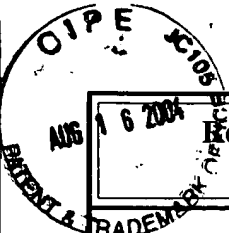
- Total additional claim fee(s) for this application is \$324

- \$324 for 18 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

T. TU
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
3123-534

In Re Application Of: **TURNER ET AL.**

Serial No.
10/731,423

Filing Date
12/9/03

Examiner
UNKNOWN

Group Art Unit
2652

Invention: **DISK DRIVE WITH FLEXIBLE, INTEGRATED BREATHER/RECIRCULATION
FILTER ELEMENTS**

Mail Stop Missing Parts

TO THE COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
3/11/04
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

SUBMISSION OF PROCESSING AND RETENTION FEE

08/17/2004 BABRAHA1 00000025 10731423

01 F:1253

950.00 0P

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
3123-534

In Re Application Of: **TURNER ET AL.**

Serial No.
10/731,423

Filing Date
12/9/03

Examiner
UNKNOWN

Group Art Unit
2652

Invention: **DISK DRIVE WITH FLEXIBLE, INTEGRATED BREATHER/RECIRCULATION
FILTER ELEMENTS**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

☐ Surcharge for late payment of filing fee and/or late filing of original declaration or oath

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☒ Fee for processing and retention of application **\$130.00**

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: 5/11/04 until: 8/11/04
Date Date

Total time extension fees **\$950.00**

Total fees due **\$1,080.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
3123-534

In Re Application Of: **TURNER ET AL.**

Serial No.
10/731,423

Filing Date
12/9/03

Examiner
UNKNOWN

Group Art Unit
2652


Invention: **DISK DRIVE WITH FLEXIBLE, INTEGRATED BREATHER/RECIRCULATION
FILTER ELEMENTS**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$1,080.00** is to be paid as follows:

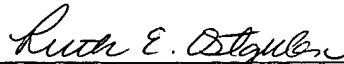
- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-1419**


Signature
JAMES L. JOHNSON
REG. NO. 34,193
MARSH FISCHMANN & BREYFOGLE LLP
3151 SOUTH VAUGHN WAY, SUITE 411
AURORA, CO 80014
(701) 293-7680

Dated:

8/11/04

I certify that this document and fee is being deposited on 8/11/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

RUTH E. OSTGULEN

Typed or Printed Name of Person Mailing Correspondence

CC: